



PATENT
Docket No. 35987200821
Client Reference VIRO-34

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Assistant Commissioner for Patents, Washington, D.C. 20231, on January 27, 2000.

Kari Cruz
Kari Cruz

Handwritten: Full #9 2/15/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Gilles H. TAPOLSKY and David W.
OSBORNE

Serial No.: 09/069,703

Filing Date: April 29, 1998

For: PHARMACEUTICAL CARRIER
DEVICE SUITABLE FOR DELIVERY
OF PHARMACEUTICAL
COMPOUNDS TO MUCOSAL
SURFACES

Examiner: Edward J. Webman

Group Art Unit: 1617

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Office Action dated 13 October 1999 for which a response was due on 12 November 1999 and for which a three-month extension of time is also requested to extend the time for response from 12 November 1999 to 12 February 2000.

Applicants hereby elect Group I (claims 1-18 and 33). Applicants reserve the right to file a divisional application to non-elected Group II (claims 19-32) during the pendency of this application.

Response to Election of Species

Having elected Group I, applicants make the following species elections.

a) With respect to claim 3, applicants elect ^{ADH LTR} hydroxyethyl cellulose as the film forming polymer and polyacrylic acid as the bioadhesive polymer.

b) With respect to claim 4, applicants elect ^{NON-ADH SACK} hydroxyethyl cellulose.

c) With respect to claims 10 and 13, applicants elect ethyl cellulose. ^{CR 00191217}

Applicants request examination of the elected subject matter on the merits. ^{CONFIDENTIAL}

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 35987200821. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: January 27, 2000

By:

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